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TAGS: PLOS

SUBJ: - ECONOMIC ZONE: SUPPLEMENT TO MIDSESSION REPORT

1. THE FOLLOWING ARE THE LATEST (USUALLY FIFTH REVISION)
TEXTS ON THE ECONOMIC ZONE PREPARED BY THE CHAIRMAN OF
THE INFORMAL JURIDICAL EXPERTS (EVENSEN) GROUP:

BEGIN TEXT: THE ECONOMIC ZONE

GENERAL PROVISIONS

ARTICLE 1 (PREVIOUS ARTICLE 11) (CORR. 1)

1. THE COASTAL STATE HAS IN AN AREA BEYOND AND ADJACENT TO
ITS TERRITORIAL SEA, KNOWN AS THE EXCLUSIVE ECONOMIC ZONE:

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(A) SOVEREIGN RIGHTS THROUGHOUT THE AREA FOR THE

PURPOSE OF EXPLORING AND EXPLOITING, CONSERVING AND MANAGING THE NATURAL RESOURCES, WHETHER RENEWABLE OR NON-RENEWABLE, OF THE SEABED AND SUBSOIL AND THE SUPERJACENT WATERS;

(B) RIGHTS WITH REGARD TO OTHER ACTIVITIES FOR THE ECONOMIC EXPLORATION AND EXPLOITATION OF THE ZONE, SUCH AS THE PRODUCTION OF ENERGY FROM THE WATER, CURRENTS AND WINDS.

(C) JURISDICTION AS PROVIDED FOR IN THIS CONVENTION WITH REGARD TO:

(I) THE PRESERVATION OF THE MARINE ENVIRONMENT,
(II) SCIENTIFIC RESEARCH,
(III) THE ESTABLISHMENT AND USE OF ARTIFICIAL ISLANDS, INSTALLATIONS AND SIMILAR STRUCTURES, INCLUDING CUSTOMS, FISCAL, HEALTH AND IMMIGRATION REGULATIONS PERTAINING THERETO, #
(D) OTHER RIGHTS AND DUTIES PROVIDED FOR IN THIS CONVENTION.

THE ISSUE OF CONTIGUOUS ZONE FOR THE PURPOSE OF CUSTOMS, FISCAL, HEALTH AND IMMIGRATION REGULATIONS WOULD BE DEALT WITH ELSEWHERE.

2. IN EXERCISING ITS RIGHTS AND PERFORMING ITS DUTIES UNDER THIS CONVENTION, THE COASTAL STATE SHALL HAVE DUE REGARD TO THE RIGHTS AND DUTIES OF OTHER STATES IN THE ECONOMIC ZONE.

3. THE RIGHTS SET OUT IN THIS ARTICLE SHALL BE WITHOUT PREJUDICE TO THE PROVISIONS OF ARTICLES OF THIS CONVENTION. ##

ARTICLE 2 (PREVIOUS ARTICLE 12)

THE ECONOMIC ZONE SHALL NOT EXTEND BEYOND 200 NAUTICAL MILES FROM THE BASELINE FROM WHICH THE BREADTH OF THE TERRITORIAL SEA IS MEASURED.

THE BASIC ARTICLES CONCERNING THE CONTINENTAL SHELF.

ARTICLE 3 (PREVIOUS ARTICLE 13)

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1. ALL STATES, WHETHER COASTAL OR LANDLOCKED, SHALL ENJOY IN THE ECONOMIC ZONE THE FREEDOMS OF NAVIGATION AND OVER-FLIGHT AND OF THE LAYING OF CABLES AND PIPE-LINES, AND OF OTHER USES OF THE SEA RELATED TO NAVIGATION AND COMMUNICATION, SUBJECT TO THE PROVISIONS OF THIS CONVENTION.

2. THE PROVISIONS OF ARTICLES SHALL APPLY TO

THE CONDUCT OF ACIENTIFIC RESEARCH IN THE ECONOMIC ZONE.

3. IN CASES WHERE THE CONVENTION DOES NOT ATTRIBUTE RIGHTS OR JURISDICTION TO THE COASTAL STATE OR TO OTHER STATES WITHIN THE ECONOMIC ZONE, AND A CONFLICT ARISES BETWEEN THE INTERESTS OF THE COASTAL STATE AND ANY OTHER STATE OR STATES, THE CONFLICT SHOULD BE RESOLVED ON THE BASIS OF EQUITY AND IN THE LIGHT OF ALL THE RELEVANT CIRCUMSTANCES, TAKING INTO ACCOUNT THE RESPECTIVE IMPORTANCE TO THE PARTIES OF THE INTERESTS INVOLVED AS WELL AS TO THE INTERNATIONAL COMMUNITY AS A WHOLE.

4. THE LAYING AND MAINTENANCE OF SUBMARINE CABLES AND PIPELINES ON THE SEABED SHALL BE SUBJECT TO THE PROVISIONS OF ARTICLE

5. IN EXERCISING THEIR RIGHTS AND PERFORMING THEIR DUTIES UNDER THIS CONVENTION, STATES SHALL HAVE DUE REGARD TO THE RIGHTS AND DUTIES OF THE COASTAL STATE IN THE ECONOMIC ZONE.

ARTICLE 4 (PREVIOUS ART. 14)

1. THE COASTAL STATE SHALL HAVE THE EXCLUSIVE RIGHT TO CONSTRUCT AND TO AUTHORIZE AND REGULATE IN THE ECONOMIC ZONE THE CONSTRUCTION, OPERATION AND USE OF:

- (A) ARTIFICIAL ISLANDS;
- (B) INSTALLATIONS AND STRUCTURES USED FOR PURPOSES SUBJECT TO ITS JURISDICTION UNDER ART. 1;
- (C) INSTALLATIONS AND STRUCTURES USED FOR ANY ECONOMIC PURPOSE;
- (D) INSTALLATIONS AND STRUCTURES WHICH MAY INTER-LIMITED OFFICIAL USE

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INTERFERE WITH THE EXERCISE OF THE RIGHTS OF THE COASTAL STATE IN THE ECONOMIC ZONE.

2. THE COASTAL STATE SHALL HAVE EXCLUSIVE JURISDICTION OVER SUCH ARTIFICIAL ISLANDS, INSTALLATIONS AND STRUCTURES INCLUDING JURISDICTION WITH REGARD TO CUSTOMS, FISCAL, HEALTH AND IMMIGRATION REGULATIONS.

3. DUE NOTICE MUST BE GIVEN OF THE CONSTRUCTION OF SUCH ARTIFICIAL ISLANDS, INSTALLATIONS OR STRUCTURES, AND PERMANENT MEANS FOR GIVING WARNING OF THEIR PRESENCE MUST BE MAINTAINED. ANY INSTALLATIONS OR STRUCTURES WHICH ARE ABANDONED OR DISUSED MUST BE ENTIRELY REMOVED.

4. THE COASTAL STATE MAY, WHERE NECESSARY, ESTABLISH

REASONABLE SAFETY ZONES AROUND SUCH ARTIFIVIAL ISLANDS,
INSTALLATIONS/AND STRUCTURES IN WHICH IT MAY TAKE
APPROPRIATE MEASURES TO ENSURE THE SAFETY BOTH OF THE

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ARTIFICIAL ISLANDS, INSTALLATIONS AND STRUCTURES AND
OF NAVIGATION.

THE BREADTH OF THE SAFETY ZONES SHALL BE DETER-
MINED BY THE COASTAL STATE, TAKING INTO ACCOUNT APPLI-
CABLE INTERNATIONAL STANDARDS. SUCH ZONES SHALL BE
DESIGNED TO ENSURE THAT THEY ARE REASONABLY RELATED TO
THE ANTURE AND FUCTION OF THE ARTICIAL ISLANDS,
INSTALLATIONS OR STRUCTURES, AND SHALL NOT EXCEED A
DISTANCE OF METERS AROUND THEM MEASURED FROM
GENERALLY ACCEPTED INTERNATIONAL STANDARDS.

SHIPS OF ALL NATIONALITIES MUST RESPECT THESE SAFETY

ZONES AND SHALL COMPLY WITH GENERALLY ACCEPTED INTERNATIONAL STANDARDS REGARDING NAVIGATION IN THE VICINITY OF ARTIFICIAL ISLANDS, INSTALLATIONS, STRUCTURES, AND SAFETY ZONES. DUE NOTICE SHALL BE GIVEN OF THE EXTENT OF SAFETY ZONES.

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5. ARTIFICIAL ISLANDS, INSTALLATIONS AND STRUCTURES AND SAFETY ZONES AROUND THEM MAY NOT BE ESTABLISHED WHERE INTERFERENCE MAY BE CAUSED TO THE USE OF RECOGNIZED SEA LANES ESSENTIAL TO INTERNATIONAL NAVIGATION.

6. ARTIFICIAL ISLANDS, INSTALLATIONS AND STRUCTURES SHALL HAVE NO TERRITORIAL SEA OF THEIR OWN AND THEIR OWN PRESENCE DOES NOT AFFECT THE DELIMITATION OF THE TERRITORIAL SEA, OR OF OTHER ZONES OF COASTAL STATE JURISDICTION OR OF THE CONTINENTAL SHELF.

LIVING REWOURCES

ARTICLE 5 (PREVIOUS ART. 15)

2. IN THE EXERCISE OF ITS SOVEREIGN RIGHTS OVER THE LIVING RESOURCES IN THE ECONOMIC ZONE THE COASTAL STATE SHALL ENSURE BY PROPER MANAGEMENT AND CONSERVATION MEASURES THAT THE MAINTENANCE OF THESE RESOURCES IS NOT ENDANGERED BY OVEREXPLOITATION. IT SHALL COOPERATE S APPROPRIATE WITH REGIONAL AND GLOBAL ORGANIZATIONS TO THIS END. STATES PARTICIPATING IN SUCH ORGANIZATIONS SHALL ENSURE TO THE EXTENT POSSIBLE THAT THE ORGANIZATION CONCERNED EXTENDS ITS COOPERATION TO THE COASTAL STATE IN MANAGEMENT AND CONSERVATION MATTERS.

2. IN THE EXERCISE OF ITS RIGHT TO DETERMINE THE ALLOWABLE CATCH AND ESTABLISH OTHER CONSERVATION MEASURES FOR THE LIVING RESOURCES OF THE ZONE, THE COASTAL STATE SHALL:

A) ADOPT MEASURES WHICH ARE DESIGNED, ON THE BEST EVIDENCE AVAILABLE TO THE COASTAL STATE, TO MAINTAIN OR RESTORE PROPULATIONS OF HARVESTED SPECIS AT LEVELS WHICH CAN PRODUCE THE MAXIMUM SUSTAINABLE YIELD, AS QUALIFIED BY RELEVANT ENVIRONMENTAL AND ECONOMIC FACTORS, INCLUDING THE ECONOMIC NEEDS OF COASTAL FISHING COMMUNITIES AND THE SPECIAL REQUIREMENTS OF DEVELOPING COUNTRIES, AND TAKING INTO ACCOUNT FISHING PATTERNS, THE INTERDEPENDENCE OF STOCKS AS WELL AS LIMITED OFFICIAL USE

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ANY GENERALLY RECOMMENDED REGIONAL OR GLOBAL MINIMUM STANDARDS.

B) TAKE INTO CONSIDERATION THE EFFECTS ON SPECIES ASSOCIATED WITH OR DEPENDENT UPON HARVESTED SPECIES WITH A VIEW TO MAINTAINING OR RESTORING POPULATIONS OF SUCH ASSOCIATED OR DEPENDENT SPECIES ABOVE LEVELS AT WHICH THEIR REPRODUCTION MAY BECOME SERIOUSLY THREATENED.

3. AVAILABLE SCIENTIFIC INFORMATION, CATCH AND FISHING EFFORTS STATISTICS, AND OTHER DATA RELEVANT TO THE CONSERVATION OF FISH STOCKS SHALL BE CONTRIBUTED AND EXCHANGED ON A REGULAR BASIS THROUGH REGIONAL AND GLOBAL ORGANIZATIONS WHERE APPROPRIATE AND WITH PARTICIPATION BY ALL STATES CONCERNED, INCLUDING STATES WHOSE NATIONALS ARE ALLOWED TO FISH IN THE ECONOMIC ZONE.

ARTICLE 6 (PREVIOUS ART. 16)

1. IN THE EXERCISE OF ITS SOVEREIGN RIGHTS TO EXPLORE AND EXPLOIT, CONSERVE AND MANAGE THE RENEWABLE RESOURCES IN THE ECONOMIC ZONE AS PROVIDED FOR IN ARTICLE 1 THE COASTAL STATE SHALL PROMOTE THE OBJECTIVE OF OPTIMUM UTILIZATION OF THESE RESOURCES WITHOUT PREJUDICE TO THE PROVISIONS OF ARTICLE 5.

2. THE COASTAL STATE SHALL, THROUGH AGREEMENTS OR OTHER ARRANGEMENTS AND PURSUANT TO THE TERMS, CONDITIONS AND REGULATIONS REFERRED TO IN PARAGRAPH 4, GIVE OTHER STATES ACCESS TO THAT PART OF THE ALLOWABLE CATCH WHICH IT DOES NOT HAVE THE CAPACITY TO HARVEST. THE DETERMINATION OF THE CAPACITY OF THE COASTAL STATE IN THIS RESPECT SHALL REST WITH THE COASTAL STATE.

3. IN GRANTING ACCESS TO OTHER STATES TO ITS ECONOMIC ZONE UNDER THIS ARTICLE, THE COASTAL STATE SHALL TAKE INTO ACCOUNT ALL RELEVANT FACTORS INCLUDING, "INTER ALIA," THE SIGNIFICANCE OF THE RENEWABLE RESOURCES OF THE AREA TO THE ECONOMY OF THE COASTAL STATE CONCERNED AND ITS OTHER NATIONAL INTERESTS, THE PROVISIONS OF ARTICLE 8, THE REQUIREMENTS OF DEVELOPING COUNTRIES IN

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THE REGION OR SUBREGION IN HARVESTING PART OF THE SURPLUS AND THE NEED TO MINIMIZE ECONOMIC DISLOCATION IN STATES WHICH HAVE HABITUALLY FISHED IN THE ZONE OR

HAVE MADE SUBSTANTIAL EFFORTS IN RESEARCH AND IDENTIFICATION OF STOCKS.

4. FISHING BY NATIONALS OF OTHER STATES IN THE ECONOMIC ZONE SHALL COMPLY WITH THE CONSERVATION MEASURES AND WITH THE OTHER TERMS AND CONDITIONS ESTABLISHED IN THE REGULATIONS OF THE COASTAL STATE. THESE REGULATIONS SHALL BE CONSISTENT WITH THE PROVISIONS OF THIS CONVENTION AND MAY RELATE, "INTER ALIA," TO THE FOLLOWING:

(A) LICENSING OF FISHERMEN, FISHING VESSELS AND EQUIPMENT, INCLUDING PAYMENT OF FEES AND OTHER

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FORMS OF RENUNERATION; DEVELOPING STATES IN PARTICULAR MAY REQUIRE ADEQUATE COMPENSATION IN THE FIELD OF FISHING INDUSTRY FINANCING, EQUIP-

MENT AND FISHERIES TECHNOLOGY;

(B) DETERMINING THE SPECIES WHICH MAY BE CAUGHT, AND FIXING QUOTAS OF CATCH, WHETHER IN RELATION TO PARTICULAR STOCKS OR COMPLEXES OF STOCKS OR CATCH PER VESSEL OVER A PERIOD OF TIME OR TO THE CATCH BY NATIONALS OF ANY STATE DURING A SPECIFIED PERIOD;

(C) REGULATING TIMES AND AREAS OF FISHING, THE TYPES, SIZES AND AMOUNT OF GEAR, AND THE NUMBERS, SIZES AND TYPES OF FISHING VESSELS THAT MAY BE USED;

(D) FIXING THE AGE AND SIZE OF FISH AND OTHER SPECIES THAT MAY BE CAUGHT;
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(E) SPECIFYING INFORMATION REQUIRED OF FISHING VESSELS, INCLUDING CATCH AND EFFORT STATISTICS AND VESSEL POSITION REPORTS;

(F) REQUIRING, UNDER THE AUTHORIZATION AND CONTROL OF THE COASTAL STATE, THE CONDUCT OF SPECIFIED FISHERIES RESEARCH PROGRAMMES AND REGULATING THE CONDUCT OF SUCH RESEARCH, INCLUDING THE SAMPLING OF CATCHES, DISPOSITION OF SAMPLES AND REPORTING OF ASSOCIATED SCIENTIFIC DATA;

(G) THE PLACING OF OBSERVERS, TRAINEES OR CREW MEMBERS ON BOARD SUCH VESSELS BY THE COASTAL STATE;

(H) THE LANDING OF ALL OR ANY PART OF THE CATCH BY SUCH VESSELS IN THE PORTS OF THE COASTAL STATE;

(I) TERMS AND CONDITIONS RELATING TO JOINT VENTURES OR OTHER COOPERATIVE ARRANGEMENTS;

(J) REQUIREMENTS FOR TRAINING PERSONNEL AND TRANSFER OF FISHERIES TECHNOLOGY INCLUDING ENHANCEMENT OF THE COASTAL STATE'S CAPABILITY FOR UNDERTAKING FISHERIES RESEARCH;

(K) ENFORCEMENT PROCEDURES.

ARTICLE 7 (PREVIOUS ART. 17)

1. STATES SHALL CO-OPERATE, WITHOUT PREJUDICE TO THE PROVISIONS OF ARTICLES 5 AND 6, IN SEEKING TO ELABORATE STANDARDS AND GUIDELINES FOR CONSERVATION AND RATIONAL UTILIZATION OF THE LIVING RESOURCES IN THE ECONOMIC ZONE, DIRECTLY OR WITHIN THE FRAMEWORK OF APPROPRIATE INTERNATIONAL FISHERIES ORGANIZATION, WHETHER UNIVERSAL OR REGIONAL.

2. WHERE THE SAME STOCK OR STOCKS OF ASSOCIATED SPECIES OCCUR WITHIN THE ECONOMIC ZONES OF TWO OR MORE COASTAL STATES, THOSE STATES SHALL SEEK EITHER DIRECTLY OR THROUGH

APPROPRIATE REGIONAL ORGANIZATIONS TO AGREE UPON THE MEASURES NECESSARY TO COORDINATE AND ENSURE THE CONSERVATION AND EQUITABLE ALLOCATION OF SUCH SPECIES, WITHOUT PREJUDICE TO THE OTHER PROVISIONS OF THIS CHAPTER.

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3. WHERE THE SAME STOCK OR STOCKS OF ASSOCIATED SPECIES OCCURE BOTH WITHIN THE ECONOMIC ZONE AND IN AN AREA BEYOND AND ADJACENT TO THE ECONOMIC ZONE, HE COASTAL STATE AND STATES FISHING FOR SUCH STOCKS IN THE ADJACENT AREA SHALL SEEK TO ENTER INTO REGIONAL, SUB-REGIONAL OR BILATERAL ARRANGEMENTS REGARDING THE CONSERVATION OF THESE STOCKS IN THE ADJACENT AREA.

4. COASTAL STATES SHALL GIVE TIMELY NOTICE OF CONSERVATION AND MANAGEMENT REGULATIONS.

ARTICLE 8

1. NOTHING IN THIS CONVENTION SHALL PRUJUDICE THE RIGHT OF THE COASTAL STATE TO PERMIT NATIONALS OF OTHER STATES TO FISH IN ITS ECONOMIC ZONE, WITHOUT PREJUDICE TO THE PROVISIONS OF ARTICLES 5 AND 6.

2. NEIGHBOURING STATES MAY GHROUGH AGREEMENTS OR OTHER ARRANGEMENTS, AND PURSUANT TO COASTAL STATE REGULATIONS, ALLOW EACH OTHER'S NATIONALS TO FISH IN THEIR RESPECTIVE ECONOMIC ZONES ON THE BASIS OF EQUITY AND TAKING INTO ACCOUNT ALL RELEVANT ECONOMIC AND GEOGRAPHIC CIRCUMSTANCES.

ARTICLE 9

1. DEVELOPING COASTAL STATES SHALL WHERE APPROPRIATE NEGOTIATE WITH NEIGHBOURING DEVELOPING GEOGRAPHICALLY DISADVANTAGED STATES ON A REGIONAL, SUB-REGIONAL OR BILATERAL LEVEL, CONCERNING THE QUESTION OF ACCESS TO THE LIVING RESOURCES OF THE ECONOMIC ZONE. SUCH NEGOTIATIONS SHALL BE BASED ON PRINCIPLES OF EQUITY AND SHLL TAKE INTO ACCOUNT ALL RELEVANT ECONOMIC

AND GEOGRAPHIC CIRCUMSTANCES, INCLUDING THE NEED TO AVOID EFFECTS WHICH WOULD BE DETRIMENTAL TO THE FISHING COMMUNITIES OF THE COASTAL STATE OR ITS FISHING INDUSTRY.

2. IN CASES WHERE THE GEOGRAPHICAL PECULIARITIES OF A REGION OF A SUB-REGION MAKE A DEVELOPING STATE LIMITED OFFICIAL USE

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PARTICULARLY DEPENDENT FOR THE SATISFACTION OF THE
NATRITIONAL NEES OF ITS POPUTLATION UPON PARTICIPATIONG
IN THE EXPLOITATION OF THE LIVING RESOURCES OF THE
ECONOMIC ZONE OF OTHER DEVELOPING STATES IN THE REGION,
THE COASTAL STATES SHALL NEGOTIATE WITH SUCH STATE
WITH A VIEW TO GRANTING PREFERENTIAL RIGHTS AS
APPROPRIATE.

ARTICLE 10

NATIONALS OF DEVELOPING LAND-LOCKED STATES SHALL
HAVE ACCESS ON AN EQUITABLE BASIS TO PARTICIAPTE IN
THE EXPLOITATION OF THE LIVING RESOURCES OF THE ECONOMIC
ZONES OF ADJOINING COASTAL STATES. BILATERAL, SUB-REGIONAL
OR REGIONAL AGREEMENTS CONCERNING THE MODALITIES OF
PARTICIPATION SHALL BE NEGOTIATED.

ARTICLE 12 (PREVIOUS ART. 19)

1. IN THE EXERCIS OF ITS SOVEREIGN RIGHTS OVER THE
LIVING RESOURCES IN THE ECONOMIC ZONE, THE COASTAL
STATE SHALL REGULATE FISHING FOR HIGHLY MIGRATORY
SPECIES LISTED IN ANNEX A. IN ESTABLISHING REGULA-
TIONS THE COASTAL STATE SHALL TAKE INTO ACCOUNT THE
BEST SCEINTIFIC EVIDENCE AVAILABLE TO IT WITH RESPECT
TO CONSERVATION AND RATIONAL UTILIZATION OF SUCH

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SPECIES AND SHALL ALSO HAVE REGARD TO THE EFFECTS OF
THE HARVESTING ON OTHER LIVING RESOURCES.

2. THE COASTAL STATE SHALL CO-OPERATE DIRECTLY AND
THROUGH APPROPRIATE INTERNATIONAL FISHERIES ORGANIZATIONS,
WITH OTHER STATES WHOSE NATIONALS FISH HIGHLY MIGRATORY
SPECIES IN THE REGION, WITH A VIEW TO ENSURING CONSER-
VATION AND OPTIMUM UTILIZATION OF SUCH SPECIES. IN
REGIONS WHERE NO APPROPRIATE INTERNATIONAL ORGANIZATION
EXISTS, THE COASTAL STATES AND OTHER STATES WHOSE
NATIONALS HARVEST THESE SPECIES IN THE REGION, SHALL
ESTABLISH SUCH ORGANIZATION AND SHALL PARTICIPATE IN
ITS WORK.

3. ON THE BASIS OF BEST SCIENTIFIC EVIDENCE AVAILABLE
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AND OTHER RELEVANT INFORMATION, THE ORGANIZATION SHALL
FORMULATE STANDARDS WITH RESPECT TO HIGHLY MIGRATORY
SPECIES THAT WILL ENSURE, THROUGHOUT THE REGION,
CONSERVATION AND OPTIMUM UTILIZATION. TO THIS END
THE ORGANIZATIONS CONCERNED SHALL FORMULATE STANDARDS
AND RECOMMENDATIONS WITH REGARD TO, INTER ALIA,
ALLOWABLE CATCH, EQUITABLE ALLOCATION, ISSUANCE OF
PERMITS, A UNIFORM SYSTEM OF FEES AND PENALTIES.

4. IN FORMULATING SUCH STANDARDS AND RECOMMENDATIONS
THE ORGANIZATION SHALL TAKE INTO ACCOUNT ALL RELEVANT
CIRCUMSTANCES INCLUDING, INTER ALIA, THE EFFECTS ON
RELATED OR DEPENDENT SPECIES, THE REQUIREMENTS OF
COASTAL STATES VESSELS WHICH FISH ONLY WITHIN THEIR
RESPECTIVE ZONES, THE HARVESTING CAPACITY OF COASTAL

STATES OF THE REGION AND THE NEED TO MINIMIZE ECONOMIC DISLOCATION.

5. THE ADOPTION OF STANDARDS AND RECOMMENDATIONS BY THE ORGANIZATION SHALL REQUIRE, IN THE ABSENCE OF AGREEMENT, A TWO-THIRDS MAJORITY, INCLUDING THE VOTES OF ALL COASTAL STATES OF THE REGION PRESENT AND VOTING.

6. TO ACHIEVE UNIFORMITY AND EFFECTIVE CONSERVATION THROUGHOUT THE REGION, THE STATES CONCERNED SHALL ENSURE THAT THEIR LAWS AND REGULATIONS ARE IN CONFORMITY WITH THE STANDARDS FORMULATED BY THE ORGANIZATION, AND TAKE INTO ACCOUNT ITS RECOMMENDATIONS CONCERNING EQUITABLE ALLOCATION.

ARTICLE 13

1. STATES HAVE THE PRIMARY INTEREST IN AND RESPONSIBILITY FOR ANADROMOUS STOCKS ORIGINATING IN THEIR RIVERS.

2. THE STATE OF ORIGIN OF ANADROMOUS STOCKS SHALL ENSURE THEIR CONSERVATION BY THE ESTABLISHMENT OF APPROPRIATE REGULATORY MEASURES FOR FISHING WITHIN THE OUTER LIMITS OF ITS ECONOMIC ZONE AND FOR FISHING PROVIDED FOR IN PARAGRAPH 3 (B). THE STATE OF ORIGIN LIMITED OFFICIAL USE

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MAY, AFTER CONSULTATION WITH OTHER STATES FISHING THESE STOCKS, ESTABLISH TOTAL ALLOWABLE CATCHES FOR STOCKS ORIGINATING IN ITS RIVER.

3. (A) FISHERIES FOR ANADROMOUS STOCKS SHALL BE CONDUCTED ONLY IN WATERS WITHIN THE OUTER LIMITS OF ECONOMIC ZONES, EXCEPT IN CASES WHERE THIS PROVISION WOULD RESULT IN ECONOMIC DISLOCATION FOR A STATE OTHER THAN THE STATE OF ORIGIN.

(B) THE STATE OF ORIGIN SHALL CO-OPERATE IN MINIMIZING ECONOMIC DISLOCATION IN SUCH OTHER STATES FISHING THESE RESOURCES, TAKING INTO ACCOUNT, THE NORMAL CATCH, THE MODE OF OPERATIONS OF SUCH STATES, ALL THE AREAS IN WHICH SUCH FISHING HAS OCCURRED.

(C) STATES REFERRED TO IN SUB-PARAGRAPH (B), PARTICIPATING BY AGREEMENT WITH A STATE OF ORIGIN IN MEASURES TO RENEW AN ANADROMOUS STOCK, PARTICULARLY BY EXPENDITURES FOR THAT PURPOSE, SHALL BE GIVEN SPECIAL CONSIDERATION BY THE STATE OF ORIGIN IN THE HARVEST OF STOCKS ORIGINATING IN ITS RIVERS.

(D) ENFORCEMENT OF REGULATIONS REGARDING ANADROMOUS

STOCKS BEYOND THE ECONOMIC ZONE SHALL BE BY AGREE-
MENT BETWEEN THE STATE OF ORIGIN AND THE OTHER
STATES CONCERNED.

4. IN CASES WHERE ANADROMOUS STOCKS MIGRATE INTO OR
THROUGH WATERS WITHIN THE OTHER LIMIT OF THE ECONOMIC
ZONE OF A STATE OTHER THAN THE STATE OF ORIGIN, SUCH
STATE SHALL CO-OPERATE WITH THE STATE OF ORIGIN WITH
REGARD TO THE CONSERVATION AND MANAGEMENT OF SUCH STOCKS.

5. THE STATE OF ORIGIN OF ANADROMOUS STOCKS AND OTHER
STATES FISHING THESE STOCKS, SHALL MAKE ARRANGEMENTS
FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS
ARTICLE, WHERE APPROPRIATE, THROUGH REGIONAL ORGANIZATIONS.

ARTICLE 14

1. A STATE IN WHOSE WATERS CATADROMOUS SPECIES SPEND
THE GREATER PART OF THEIR LIFE CYCLE SHALL HAVE
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RESPONSIBILITY FOR THE MANAGEMENT OF THESE SPECIES
AND SHALL ENSURE THE INGRESS AND EGRESS OF MIGRATING
FISH.

2. HARVESTING OF CATADROMOUS SPECIES SHALL BE CON-
DUCTED ONLY IN WATERS IN RESPECT OF WHICH THE STATE
MENTIONED IN PARAGRAPH 1, EXERCISES SOVEREIGN RIGHTS
OVER THE LIVING RESOURCES AND SHALL BE SUBJECT TO THE
PROVISIONS OF THIS CONVENTION CONCERNING FISHING IN
SUCH WATERS.

3. WHEN CATADROMOUS FISH MIGRATE THROUGH THE WATERS
OF ANOTHER STATE OR STATES, WHETHER AS JUVENILE OR
MATURING FISH, THE MANAGEMENT OF SUCH FISH SHALL BE
REGULATED BY AGREEMENT BETWEEN THE STATE MENTIONED IN
PARAGRAPH 1 AND THE STATE OR STATES CONCERNED. SUCH
AGREEMENT SHALL ENSURE THE RATIONAL MANAGEMENT OF THE
SPECIES AND TAKE INTO ACCOUNT THE RESPONSIBILITIES OF
THE STATE MENTIONED IN PARAGRAPH 1 FOR THE MAINTENANCE
OF THESE SPECIES. END TEXT.DALE

NOTE BY OC/T: NOT PASSED ALL DIPLOMATIC POSTS.

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, TERRITORIAL WATERS, TEXT, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 16 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975GENEVA02615
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750132-0720
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750443/aaaabnpi.tel
Line Count: 701
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 13
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 18 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18 JUN 2003 by BoyleJA>; APPROVED <30 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: - ECONOMIC ZONE: SUPPLEMENT TO MIDSESSION REPORT
TAGS: PLOS
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006